United Nations S/2015/590

Security Council

Distr.: General
31 July 2015

Original: English

Letter dated 31 July 2015 from the Secretary-General addressed to the President of the Security Council

By its resolution 2188 (2014), the Security Council requested me to provide an update on the progress made by the Government of Liberia in implementing the recommendations on the proper management of arms and ammunition, including enacting the necessary legislative frameworks, and on facilitating the effective monitoring and management of the border regions between Liberia and Côte d'Ivoire. Those recommendations were contained in my letter to the President of the Council dated 29 September 2014 (S/2014/707) following an assessment mission concerning the Liberia sanctions regime conducted from 5 to 12 September 2014. I provide herein a review of major relevant developments in Liberia since the assessment mission and of progress against the recommendations made.

Key updates

In my letter of 29 September 2014, I stated that, in view of the uncertainties of the outbreak of Ebola virus disease, the Security Council might wish to defer any adjustments to the existing sanctions measures for six months or until the situation in the country stabilized and the Government and its partners were better able to implement the capacity-building efforts being proposed. The current stability in the country and the Government's commitment to security sector reforms in anticipation of the security transition and drawdown of the United Nations Mission in Liberia (UNMIL) demonstrate that Ebola no longer represents an obstacle to moving forward with the recommended capacity-building measures.

The deadline of 30 June 2016 set by the Security Council in its resolutions 2190 (2014) and 2215 (2015) for the Government to complete the full assumption of security responsibilities from UNMIL has revitalized the security sector reform process, providing opportunities for tangible progress in the areas of arms and ammunition management and border monitoring and management. The deadline has focused attention on specific deliverables that must be in place to ensure a smooth transition and the Government's UNMIL transition plan, which is discussed further below, has created a framework for monitoring progress. United Nations and bilateral support for the transition will remain critical.

Since the assessment mission, the Government has made some limited, but significant, progress in implementing the recommendations for capacity-building with regard to arms and ammunition management. The beginning of arms marking by the armed forces in accordance with Economic Community of West African States (ECOWAS) standards should be viewed as a major step forward. Completing

Please recycle

the marking of all government-owned weapons by the end of 2015 now represents an achievable goal.

Progress in the implementation of the recommendations has, however, been uneven and insufficient focus has been given to completing the regulatory framework for the importation and private possession of arms and ammunition. The Legislature must accord priority to considering the draft firearms and ammunition control act if it is to be enacted by December 2015.

Where progress has been made, activities have been undertaken within existing resources or through external funding. The progress in weapons marking highlighted the value of UNMIL quick-impact projects. Longer-term capacity-building requires the provision of sufficient budgetary support to the relevant agencies from the Government, together with internationally funded projects. I encourage donors to support the project prepared by the Office for Disarmament Affairs of the Secretariat, at the request of the Liberia National Commission on Small Arms, which would implement many of the recommendations on capacity-building.

The inspection of government armouries by UNMIL, most recently mandated by the Security Council in its resolution 2190 (2014), remains an important means of monitoring government-owned weapons and ammunition. Inspection is also increasingly being used as a tool to support capacity-building for the Liberian security agencies and should remain part of the UNMIL mandate.

Among the security agencies responsible for monitoring and managing the border regions, both the Bureau of Immigration and Naturalization and the national police have laid the groundwork for initiating future deployments of personnel. While the deployment and patrols of Bureau personnel along the border have increased, those of the national police are yet to begin. Given the timetable for the drawdown of UNMIL, those deployments need to be accelerated.

The logistical, communications and mobility capacity challenges identified in the 2014 assessment persist. It is important that budgetary uncertainties be resolved to ensure continuity in training activities, especially in the area of firearms training and arms and ammunition management, and that the number of personnel of the Bureau of Immigration and Naturalization to be deployed to the border areas, and a timeline for such deployment, be finalized.

Although the border between the countries remains closed, the Governments of Liberia and Côte d'Ivoire have further increased efforts to strengthen coordination and information-sharing for border security and stabilization. I welcome their continued bilateral engagement. The post-Ebola recovery plan, devised by the Mano River Union, also provides a subregional framework to revitalize security and border stabilization mechanisms. The positive momentum from the plan should be used to accelerate the implementation of operational activities under way, as well as longer-term projects of the Union and ECOWAS.

Major developments since the assessment mission

The assessment mission was undertaken at the height of the Ebola outbreak. At the time, it was clear that the epidemic was having a significant impact on all national institutions, including the security sector, and threatening to undermine the important gains made by Liberia during the previous decade. The Government and the international community were concerned with and focused on responding to the

crisis. The Security Council recognized the exceptional circumstances occasioned by the outbreak when, by its resolution 2176 (2014), it extended the mandate of UNMIL for three months and endorsed my recommendation to defer consideration of the proposals on adjustments to the mandate. Similarly, no adjustments were made to the sanctions regime, which was extended for an additional nine months through the adoption of resolution 2188 (2014).

The severity and immediacy of the threat to the Liberian State institutions from Ebola have now passed and the country remains stable. The World Health Organization declared Liberia free of Ebola virus transmission on 9 May after a period of 42 days in which no new cases of infection were identified. Nevertheless, the Government's reports that, since 29 June, six Liberian nationals have tested positive for Ebola, and that two of them have subsequently died, highlight that there is no room for complacency.

The Ebola outbreak revealed multisectoral fragility within the State and highlighted institutional weaknesses within the Government. The long-term impact on security sector reform appears, however, to have been limited largely to delays, rather than reducing the Government's overall capacity. On 6 March, the National Security Council endorsed the Government's UNMIL transition plan, in line with resolutions 2190 (2014) and 2215 (2015) that set 30 June 2016 as the deadline for the Government to fully assume its security responsibilities from UNMIL.

The transition plan, which includes specific benchmarks and a summary of activities with timelines, sends an important signal about the Government's commitment to security sector reform. Its proposed actions are aimed at addressing the recommendations contained in the 2014 assessment. The plan is ambitious, in terms of both the time allocated for its completion and the resources necessary to support its implementation. For the purposes of the 2015-2016 budget, the Government has prepared a prioritized plan, but the extent to which it will be able to fund the activities envisaged remains uncertain.

Improving the capacity of the Government of Liberia to properly manage arms and ammunition, including by enacting the necessary legislative framework

The process of harmonizing laws relating to the security sector continues. With the passage of the Drug Enforcement Agency Act in October 2014, a legal framework has now been established for most of the security agencies, including the armed forces, the Executive Protection Service, the Drug Enforcement Agency and the National Security Agency. The armed forces have not, however, completed the reform of internal policy structures and the uniform code of military justice is still awaiting ratification by the Legislature. In April, Liberia submitted its instruments of ratification of the Arms Trade Treaty to the United Nations.

UNMIL has continued to support efforts under way to reform the security sector legal framework. Legislation on the Bureau of Immigration and Naturalization has now been drafted and is due for submission to the Legislature at its current session, together with a revised draft act for the national police. The draft firearms and ammunition control act is currently under consideration by the Legislature. Those three acts would together form the basis of the national legal framework for arms and ammunition management. The timetable for their passage remains uncertain, however, although the Chair of the Senate Committee on National Defence, Intelligence, Security and Veteran Affairs has expressed his belief that

consideration will be completed by the end of 2015. Until those laws are passed, there remain insufficient legal means for the Government to regulate the purchase and possession of arms by non-State actors.

The Government, with the assistance of UNMIL, has taken some small but significant steps to strengthen its capacity in the area of arms management. In March, UNMIL undertook a quick-impact project that included training provided by the Ghana National Commission on Small Arms and the United Nations Regional Centre for Peace and Disarmament in Africa. A total of 28 government officials representing all security agencies received instruction on how to mark weapons and on data management in accordance with ECOWAS standards.

As at mid-July 2015, the armed forces had marked 97 per cent of all stored arms and the national police were due to begin marking their weapons in August. If the current momentum is maintained, the Liberia National Commission on Small Arms anticipates that all government-owned weapons will be marked by the end of 2015. The completion of that task would fulfil a requirement of the Security Council first set out in resolution 1683 (2006). The establishment of a central national arms database, maintained by the Liberia National Commission on Small Arms has, however, not yet begun. Funding will be required to hire skilled information technology professionals and to purchase additional computers.

Data on privately owned weapons will be collected as part of an ECOWAS-European Union small arms project, implemented by the United Nations Development Programme. In Liberia, the project will concentrate on the three south-eastern border counties (Grand Gedeh, Maryland and River Gee) and may also expand to Nimba County in the future. It is a community-based arms for development project under which local development initiatives will be implemented in exchange for communities handing over weapons. As a first step, a small arms survey will be undertaken in the three counties and the findings will assist in the eventual development of a national survey.

In accordance with resolution 2190 (2014), UNMIL has continued to undertake quarterly inspections of government arms. Generally, the armouries are well run, although a number of recommendations, largely focused on health and safety, have not been implemented. Beyond inspections, the UNMIL Small Arms Unit and force firearms inspection team are providing capacity-building on armoury management to the national police and the armed forces through regular meetings, training sessions and workshops.

In late 2014, the Ministry of Defence expressed its readiness to work with UNMIL on the construction of permanent explosives storage facilities and training for safe explosives management. Training in explosives disposal has been carried out with the assistance of bilateral partners. UNMIL can support needs in relation to explosives — for the disposal of residual contamination from explosive remnants of war — and storage until early 2016, but the Government currently does not have the equivalent capacity.

The limited funding to support arms and ammunition management is a constraint on the ability of the security agencies and their partners to move forward with further capacity-building efforts. In that regard, it is important that, as part of its current budget negotiations, the Government provide clarity on the activities that

it will be funding. Additional funding support from the international community is likely to be necessary.

In consultation with the Liberia National Commission on Small Arms, the Office for Disarmament Affairs has approved a project that would, if fully funded, ensure the implementation of the earlier recommendations with regard to developing firearms licensing regulations, weapons marking, a central arms database and a national baseline survey of arms and ammunition stockpiles. It would also provide assistance to the Government in its implementation of the Arms Trade Treaty and the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials.

Since the assessment mission, the Liberian security agencies have been meeting regularly to discuss arms management issues. Monthly coordination meetings of the national police with the Liberia National Commission on Small Arms and the Bureau of Immigration and Naturalization are being held. The Board of the Liberia National Commission on Small Arms, which comprises all the security agencies, also meets on a quarterly basis.

Since the assessment mission, the Permanent Mission of Liberia to the United Nations has submitted one new notification of supplies of arms and ammunition for the national police to the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia. As indicated in its transition plan, the Government plans to purchase weapons and ammunition for the national police, the Bureau of Immigration and Naturalization, the Drug Enforcement Agency and the Executive Protection Service during the period from July 2015 to June 2016.

Effective monitoring and management of the border between Liberia and Côte d'Ivoire

The security situation along the border between Liberia and Côte d'Ivoire is calm but fragile. The land border has been closed since August 2014, following the Ebola outbreak. While no cross-border attacks have been observed since 2013, violence carried out on the Ivorian side of the border by members of local communities, including Ivorian returnees, against the Ivorian armed forces and settlers from Burkina Faso has continued in 2015, largely as a result of land disputes. A border shooting incident in May, which left a Liberian national dead, has highlighted the potential for tension along the border with Côte d'Ivoire. As noted in recent reports of the Panel of Experts on Liberia, groups of ex-combatants and mercenaries continue to be organized on the Liberian side of the border and constitute a localized threat that requires ongoing monitoring as Côte d'Ivoire prepares for presidential elections in 2015.

In general, the borders of Liberia are porous and capacity to adequately patrol them is limited, even though institutional capacity has greatly improved. With the continued drawdown of the military component of UNMIL, the ability of the Mission to respond to security threats along the border will be significantly diminished and the Government will have primary responsibility for monitoring and patrolling the border. For the transition of responsibility to be successful, further strengthening of the Liberian security agencies, including their infrastructure and logistical and technical capacity, is essential.

Since the assessment mission, the Bureau of Immigration and Naturalization has posted more personnel to the borders. It is indicated in the transition plan that the number of border patrol personnel will continue to increase and that those personnel will be authorized to carry arms. The Bureau has also extended its border patrols. It has deployed 1,196 officers, comprising 132 border patrol officers and 1,064 immigration/border control officers, to the 45 official and 131 unofficial crossing points along the borders with Guinea, Sierra Leone and Côte d'Ivoire. The number of officers to be deployed to the borders is expected to increase to about 1,350 following the completion of training for 250 new recruits in September.

Instructors from the Bureau of Immigration and Naturalization, under the supervision of the United Nations police component, have begun to train new recruits in immigration management, fraud detection, forensics and the preservation of evidence and means to combat cross-border crime, smuggling and arms trafficking. Additional armoury management training is foreseen by November, and firearms training for Bureau personnel is envisaged for the first half of 2016, according to the transition plan.

Future deployment depends on both sufficient funding and the provision of adequate infrastructure, including offices and accommodation, as well as logistics to ensure mobility and communication. The most urgently required items are radios, vehicles and motorbikes to enhance effective patrols around the unofficial border crossing points, especially considering their limited accessibility during the rainy season, which lasts for some eight months. The Bureau of Immigration and Naturalization currently has 31 vehicles, including those assigned to administrative heads, about 40 per cent of which are not functional. Most border posts are not accessible except by motorbike. While the Bureau has 78 motorbikes, a lack of funds for their maintenance means that about 55 per cent of them are not operational. With regard to secure communications, only 5 of the 15 counties have radio stations (Grand Gedeh, Maryland, Montserrado, Nimba and River Gee). In total, there are 17 county-based radio stations, of which only 7 are functional. Sharing critical security and confidential information in a secure way is therefore extremely challenging.

The deployment of national police officers to the regions outside Monrovia was envisaged to begin in July, in parallel with the deployment of Bureau of Immigration and Naturalization personnel throughout the country. That has not yet begun, however, with training of some 1,600 officers still under way.

With regard to the capacity of the coastguard to monitor the coastal territory of Liberia, that agency continues to rely on UNMIL to a great extent, as outlined in the previous assessment. The considerable assets of UNMIL, including air patrols, to police the borders will not be available to the Government when security responsibility for the borders is transferred in 2016. The Government's air capacity is limited, as is the deep-water capability of its small coastal boats.

With regard to coordination and information-sharing between Liberia and Côte d'Ivoire, the quadripartite meetings between the two Governments, UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI) have been the principal intergovernmental security mechanism at the policy level.

The third quadripartite meeting was held in Abidjan on 10 March. The communiqué of that meeting includes a section on bilateral cooperation in which the

necessity of reactivating cooperation mechanisms between Côte d'Ivoire and Liberia through regular cross-border meetings, confidence-building measures and information-sharing between the respective security agencies was reaffirmed. Also highlighted was a decision to hold the sixth session of the Liberia-Côte d'Ivoire Joint Commission for Bilateral Cooperation in April to review areas of cooperation, including contentious items such as hot pursuit. Although the two Governments also agreed to hold the second meeting of the Joint Council of Chiefs and Elders in May, neither of those meetings has yet been convened.

The Mano River Union strategy for cross-border security, developed in 2013, also provides an avenue for developing intergovernmental security mechanisms. The Mission is currently considering options for supporting the strategy, including a potential transition of Operation Mayo (the joint border security patrols and meetings led by UNMIL and UNOCI) to the Union joint border security and confidence-building units. In June, renewed dialogue on the issue was held among UNMIL, the Union, the United Nations Office for West Africa (UNOWA), UNOCI and the United Nations Development Programme and was given momentum by the inclusion of governance, peace and security as a priority area within the Union's post-Ebola recovery plan, which was presented in New York on 10 July. UNMIL will continue to work with the Union, UNOWA, UNOCI and other United Nations and non-United Nations partners to help to revitalize those units as a sustainable security and border stabilization mechanism as UNMIL draws down.

UNOWA, in collaboration with the United Nations Office on Drugs and Crime, has also supported transnational crime units in Liberia and Sierra Leone through the West Africa Coast Initiative, which is intended to strengthen the regional approach to addressing organized crime and develop specialized units for that purpose. While progress has been made in developing the capacity of the units, institutional, operational and logistical challenges to the conduct of stand-alone operations remain.

The Government of Liberia, within the framework of ECOWAS, has committed itself to establishing a national early warning and response mechanism. That follows the adoption of recommendations to establish such mechanisms by the ECOWAS Heads of State on 14 July 2014, to supplement the existing regional ECOWAS Early Warning and Response Network, and a follow-up visit to Liberia by the ECOWAS Commission in July 2015. The national mechanism will build on and enable more effective links between national and regional early warning structures.

(*Signed*) **BAN** Ki-moon